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Services, Inc., Angeles Chemical Company,
Inc., and John Locke

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANGELES CHEMICAL COMPANY, INC.,
et al.

Plaintiffs,

vs.

MCKESSON CORPORATION, a California
Corporation, MCKESSON CHEMICAL
COMPANY, FOREMOST-MCKESSON
EXPORT CORPORATION, MORELAND-
MCKESSON CHEMICAL COMPANY INC.,
and DOES 1 through 500, Inclusive,

Defendants.

Northern District Miscellaneous Matter No.
Case No. C 06-80343 Misc MMC (EDL)
Case No. C 07-80123 Misc MMC (EDL)

Case No: 01-10532 TJH (Ex)
Central District of California

PLAINTIFF ANGELES CHEMICAL
COMPANY'S REPLY TO SQUIRE
SANDERS & DEMPSEY L.L.P.'S
OBJECTIONS TO AND/OR REQUEST
FOR CLARIFICATION REGARDING
ORDER DATED MAY 31, 2007 ON
MOTION TO COMPEL SQUIRE,
SANDERS & DEMPSEY L.L.P.'S
COMPLIANCE WITH THE MARCH 22,
2007 COURT ORDER

Date: June 6, 2007
Time: 9:00 a.m.
Room: Courtroom E, 15th Floor
450 Golden Gate Ave
San Francisco, CA
Judge: Hon. Elizabeth D. Laporte

SSD's "objections" are untimely. SSD is merely trying to circumvent the obligations under Civil Local Rule 72-2 and FRCP 72(a). SSD did not comply with the March 22 Order and **never** objected and **never** sought clarification. Now, due to SSD's own non-compliance and dilatory tactics, seeks to resurrect any clarification that should have been raised 10 days or sooner after the March 22 Order and further delay production of these critical documents.

Angeles Answers to SSD's Objections

1. SSD delay and gamesmanship could potentially further prejudicing Angeles. Had SSD complied with the original Order, SSD would not need any additional time to review the documents.
2. This is a spurious objection. First, many of the documents do not even show McKesson as a recipient or author. Nothing on the privilege log (except for line item #59) suggests that these are McKesson sourced documents. In fact, SSD seems to contradict the early representations made to the Court and Angeles that these documents are not McKesson sourced. Moreover, if the Court rules that certain portions are not privileged, then the issue is moot.
3. This was thoroughly discussed at the March 6, 2007 hearing. Further, had SSD followed Honorable Laportes instructions in the first place, SSD likely would have completed the task without spending 200,000.00. These costs were assumed because of the agreement that SSD's client, Univar, reached with McKesson as a repository for these documents. Further, SSD's own delay, gamesmanship, and obstruction are likely the source of the most of the cost. SSD has made no showing of this "pulled out of the air" number, nor was it raised in any of the moving papers.
4. The most critical information (i.e. where the documents came from and where the documents went) should not be withheld. Such a large law firm would likely store the information either in a database or index. Angeles is sure that SSD acknowledges the importance of tracking client documents.

- 1 5. SSD ignores the critical part of the May 31 Order by only producing to the Court those
2 documents that SSD believes are "at issue." If there is any ambiguity, Angeles
3 respectfully requests that SSD comply fully with the May 31 2007 Order and produce
4 to the Court all documents identified numbered 1-59 on SSD's privilege log. As
5 stated in Angeles moving papers on page 9:17-22, there are no less than 38 items that
6 Angeles was challenging as being "privileged." The other items could very well be
7 privileged, but redacted. Angeles was challenging the documents listed on SSD's
8 privilege log. All 59 items should be produced. SSD has already told the Court that
9 SSD has no problem giving the documents to the Court for *in camera* review.
- 10 6. Angeles respectfully requests that the Court fully review all the documents *in camera*.
11 SSD has already told the Court that SSD has no problem giving the document to the
12 Court for *in camera* review.
- 13 7. Angeles assumes that the Court's instruction will be clear on any "procedure"
14 directing any redaction.
- 15 8. These indexes are critical and may show SSD's knowledge of documents source and
16 disposition. SSD has already told the Court that SSD has no problem giving the
17 document to the Court for *in camera* review.

18 Amazingly, SSD continues to refuse to follow the Courts instruction and Order. This
19 action calls into question whether or not SSD even complied with the Order in the first place.
20 Again, this would make any SSD index critical. If SSD refuses to produce any of the documents
21 for *in camera* review listed on the privilege log or refuses to produce the documents to Angeles,
22 Angeles respectfully requests that a teleconference with the Court be scheduled to settle any
23 ambiguity or disputes between the parties.

24
25 DATED: June 6, 2007

Caufield & James, LLP



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